

15 16/6



Practitioner's Docket No. 17396/09074

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re application of: M. Frances Botts, et al.

Application No.: 09/326,014

Group No.: 1616

Filed: 06/04/1999

Examiner: Neil S. Levy

For: Particles containing agricultural active ingredients

**Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that the attached correspondence, comprising:

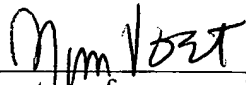
- 1. Response and Amendment Pursuant to 37 C.F.R. §1.111 Transmittal (2 pages).
- 2. Response and Amendment Pursuant to 37 C.F.R. §1.111 (8 pages)
- 3. Return Receipt Postcard,

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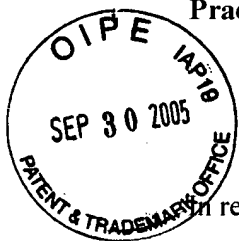
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on September 28, 2005.

Mim Voet



Signature of person mailing paper



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: M. Frances Botts, Frank C. Kohn and Maria L. Miller

Application No.: 09/326,014

Group No.: 1616

Filed: 06/04/1999

Examiner: Neil S. Levy

Confirmation No.: 3572

For: Particles containing agricultural active ingredients

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE AND AMENDMENT PURSUANT TO 37 C.F.R. §1.111
TRANSMITTAL

1. Transmitted herewith is a Response and Amendment Pursuant to 37 C.F.R. §1.111 for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

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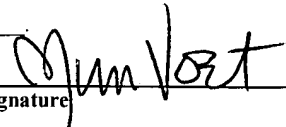
37 C.F.R. § 1.10*

☐ as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____



Signature

Date: September 28, 2005

Mim Voet

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

STATUS

2. Applicants are other than a small entity.

EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

FEE FOR CLAIMS

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1)	(Col. 2)	(Col. 3)	OTHER THAN A SMALL ENTITY			
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE		
TOTAL	27	— 45	= 0	x \$ 50.00	= \$	0.00	
INDEP.	3	— 4	= 0	x \$ 200.00	= \$	0.00	
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$ 0.00	= \$	0.00	
				TOTAL ADDIT. FEE	\$	0.00	

No additional fee for claims is required.

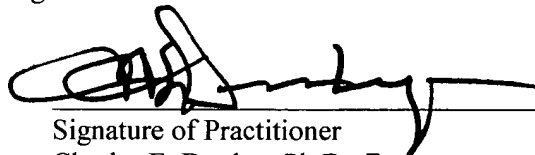
FEE DEFICIENCY

5. If an extension and/or fee is required, charge Account No. 50-2548.
If a fee for claims is required, charge Account No. 50-2548.

Date: September 28, 2005

Reg. No.: 35,124


Telephone No.: 864-250-2238
Facsimile No.: 803-256-7500
Customer No.: 000045850


Signature of Practitioner
Charles E. Dunlap, Ph.D., Esq.

Nelson Mullins Riley & Scarborough LLP
1320 Main Street, 17th Floor
Columbia, SC 29201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/326,014 Confirmation No. 3572
Applicant : M. Francis Botts *et al.*
Filed : June 4, 1999
TC/A.U. : 1616
Examiner : Neil S. Levy
Docket No. : 17396/09074
Deposit Acct. No. : 50-2548
Title : Particles containing agricultural active ingredients



Commissioner for Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22131-1450

RESPONSE AND AMENDMENT PURSUANT TO 37 C.F.R. §1.111.

Dear Sir:

This is filed in response to the Office Action dated July 5, 2005, and the telephone interview with the Examiner of July 28, 2005, the courtesy of which is very much appreciated, and is believed to be timely in view of the shortened statutory period for response as set forth in the Office Action.

There are no **Amendments to the specification.**

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

There are no **Amendments to the Drawings.**

Remarks/Arguments begin on page 7.